

Serial No. 10/728,530
Docket No. LWEP:104aUS_
Request for Reconsideration dated: July 2, 2004
Reply to Office Action of May 6, 2004

Remarks

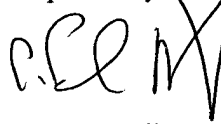
Applicant respectfully notes that they cannot respond to the Office Action as it is inapplicable and incomprehensible since it does not address the currently pending specification or claims. A Preliminary Amendment (provided in the attached Appendix) was filed on December 8, 2003, which revised much of the specification and claims and peremptorily addressed many of the Examiner's current objections and rejections. Thus, Applicant respectfully requests a resubmission from the Examiner of a first Office Action regarding the currently pending specification and claims and a restarting of the statutory time period for Reply.

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Conclusion

The foregoing is submitted as a full and complete Reply to Advisory Action. For all of the reasons set forth above, Applicant respectfully submits that the present application is now in condition for allowance, which action is courteously requested. The Examiner is invited to contact the undersigned agent of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'C. Paul Maliszewski', written over a horizontal line.

C. Paul Maliszewski, P.E.
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Dated: July 2, 2004

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MESSAGE CONFIRMATION

FAX NUMBER : 1-716-626-0366

NAME : SIMPSON & SIMPSON

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FACSIMILE COVER SHEET

To: United States Patent and Trademark Office
Group Art Unit 2872
Attn: Examiner Thong Q. NGUYEN

Fax #: 703-872-9306

From: Sumita Chowdhury-Ghosh

Date: May 24, 2004

Pages: 16 (including cover sheet)

Re: U.S. Patent Application No. 10/728,530
For: AUTOMATED MICROSCOPE SYSTEM
Filed: December 5, 2003

Our Ref. No.: 294.LWEP:104aUS

DK
1/7/1/04

Message:

Dear Examiner Nguyen:

While I await your return telephone call, please find attached:

- a) Copy of the Amendment and Request for Reconsideration filed December 8, 2003.
- b) Copy of the Acknowledgement Postcard showing Receipt of the Amendment by OIPE on December 10, 2003.

I look forward to hearing from you. Thank you in advance.

IMPORTANT NOTICE

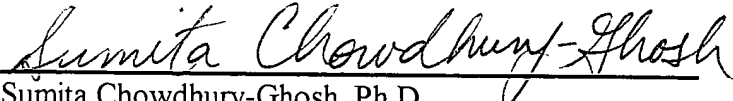
The accompanying message is intended only for the use of the individual or entity to which it is addressed and may represent an attorney-client communication or otherwise contain information that is privileged, confidential and exempt from disclosure under applicable law. If you are not the intended recipient, any duplication or distribution of this communication is unauthorized and prohibited. If you have received this communication in error, please notify us immediately by telephone and return the entire communication to us at the above address by mail at our expense.

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Certificate of Transmission by Facsimile

I certify that copy of Amendment and Request for Reconsideration, originally filed on December 8, 2004, is being facsimile transmitted to the United States Patent and Trademark Office in accordance with 37 CFR §1.8 to Facsimile Number 703-872-9306 on May 24, 2004.


Sumita Chowdhury-Ghosh, Ph.D.
Reg. No. 50,476

IMPORTANT NOTICE

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RECEIVED IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant(s): Michael GANSER
U.S. Patent Application No. N/A
Title: AUTOMATED MICROSCOPE SYSTEM
Filed: 12/05/2003
GAU: N/A



Transmitted herewith is:

- (1) Amendment Transmittal Letter
- (1) Certificate of Mailing by First Class Mail
- (1) Preliminary Amendment with 1 Replacement Sheet and 2 New Drawing Sheets
- (1) Acknowledgment Postcard

Attorney Docket No. 294.LWEP:104aUS_ Customer No. 24041

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JAN 12 2004

SIMPSON & SIMPSON

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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant: **GANSER, Michael**

Examiner: **To be assigned**

U.S. Patent Application Serial No.: **To be assigned**

Group Art Unit: **To be assigned**

For: **AUTOMATED MICROSCOPE SYSTEM**

Filed: **To be assigned**

Customer No. **24041**

Certificate of Mailing

I certify that this Preliminary Amendment is being deposited on December 8, 2003 with the U.S. Postal Service as first class mail under 37 C.F.R. §1.8 and is addressed to Mail Stop Non-Fee Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Sumita Chowdhury-Ghosh
Sumita Chowdhury-Ghosh
Reg. No. 50,476

Mail Stop Non-Fee Amendment
Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450

PRELIMINARY AMENDMENT

Honorable Sir:

This Preliminary Amendment is submitted for the above-identified continuation patent application filed on December 5, 2003 and contains no new matter. Please amend the above-identified application as follows.

Amendments to the Specification begin on page 2 of this paper.

Amendments to the Claims are reflected in the listing of claims which begins on page 4 of this paper.

Amendments to the Drawings begin on page 7 of this paper and include one (1) revised attached drawing and two (2) attached new drawing sheets.

Remarks begin on page 8 of this paper.

An **Appendix** including revised and new drawing figures is attached following page 9 of this paper.

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Amendments to the Specification

Please replace paragraph [0009] with the following amended paragraph:

[0009] A further advantage of the invention is that the workstation around the microscope can be much better organized. Even with large microscopes having many controllable functions, it is often not possible to house all the control units in the microscope stand. Additional units for the corresponding controllers are thus required on the workstation, which negatively affects organization and ergonomics. A further advantage of the invention is that the control box possesses the same shape and configuration regardless of the application.

Please replace paragraph [0010] with the following amended paragraph:

[0010] The subject matter of the invention is schematically depicted in the drawings and will be described below with reference to the Figures, in which:

FIG. 1 shows a microscope according to the existing art; and

FIG. 2 shows an automatic microscope according to the ~~invention-invention~~;

FIG. 3 shows another embodiment of an automatic microscope according to the invention; and

FIG. 4 shows a further embodiment of an automatic microscope according to the invention.

Please add the following two (2) new paragraphs after paragraph [0021]:

[0021.1] A further embodiment of the automatic microscope system 30 according to the invention is depicted in FIG. 3. Identical elements as already disclosed in Fig. 2 are marked with the same reference numeral. The control and power supply unit 34 is configured such that it is suitable to take up at least one slide-in standardized circuit board 50. The control and power supply unit 34 and consequently the circuit boards 50 can be used for various types of the microscope stand. The at least one circuit board can be used for controlling at least one motor or

lamp housed within said microscope stand. Said box possesses the same physical dimensions regardless of the use of an upright or inverted microscope. Control and power supply unit 34 itself is connected to microscope stand 32 via at least one distribution cable 38 which comprises electrical lines (not depicted) and optionally also a light guide (not depicted). Sufficient space is also present in the box so that additional circuit boards 50 for controlling microscope 31 can be installed as applicable.

[0021.2] FIG. 4 shows a further embodiment of the present invention. Automatic microscope system 30 comprises a microscope stand 32, a control and power supply unit 34, and a computer unit or control panel 36. Computer unit 36 is connected to control and power supply unit 34 via a data cable 40. Control and power supply unit 34 itself is connected to microscope stand 32 via at least one distribution cable 38 which comprises electrical lines (not depicted). Light guide 42 is separate from data cable 38 in this embodiment. By using a light guide, the light generated by lamp 44 in control and power supply unit 34 is transported into microscope stand 32, where it is coupled in suitable fashion into the optical beam path of microscope stand 32 and illuminates a specimen.

Amendments to the Claims

This listing of claims will replace all prior versions, and listings, of claims in the application:

Listing of Claims:

Claims 1-5 (canceled)

Claim 6 (new) An automated microscope system, comprising:
a microscope including a microscope stand; and,
a box including at least one control and power supply unit, said box arranged physically separate from said microscope stand and connected to said microscope stand by at least one connecting cable, said at least one control and power supply unit including at least one slide-in standardized circuit board to be used for various types of said microscope stand wherein said at least one slide-in standardized circuit board is used for controlling at least one motor or lamp housed within said microscope stand.

Claim 7 (new) The automated microscope system as defined in Claim 6 further comprising an operating and computer unit connected to said box.

Claim 8 (new) The automated microscope system as defined in Claim 6 wherein said box possesses the same physical dimensions regardless of the use of an upright or inverted microscope.

Claim 9 (new) The automated microscope system as defined in Claim 6 wherein said box possesses the same shape and configuration regardless of the use of an upright or inverted microscope.

Claim 10 (new) The automated microscope system as defined in Claim 6 further comprising an illumination unit housed in said box, wherein said at least one connecting cable is a light guide that couples light generated by said illumination unit into said microscope stand.

Claim 11 (new) The automated microscope system as defined in Claim 6 wherein said at least one motor is selected from the group consisting of a focusing motor, a drive knob motor, an aperture diaphragm motor, a field diaphragm motor, a stage X-direction motor, and a stage Y-direction motor.

Claim 12 (new) An automated microscope system, comprising:
 a microscope including a microscope stand; and,
 a box including at least one control and power supply unit, said box arranged physically separate from said microscope stand and connected to said microscope stand by at least one connecting cable, said at least one control and power supply unit including at least one slide-in standardized circuit board to be used for various types of said microscope stand wherein said at least one slid-in standardized circuit board is used for controlling at least one motor or lamp housed within said microscope stand, said at least one control and power supply unit further comprising a power supply for said microscope.

Claim 13 (new) The automated microscope system as defined in Claim 12 comprising an operating and computer unit connected to said box.

Claim 14 (new) The automated microscope system as defined in Claim 12 wherein said box possesses the same physical dimensions regardless of the use of an upright or inverted microscope.

Claim 15 (new) The automated microscope system as defined in Claim 12 wherein said box

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possesses the same shape and configuration regardless of the use of an upright or inverted microscope.

Claim 16 (new) The automated microscope system as defined in Claim 12 further comprising an illumination unit housed in said box, wherein said at least one connecting cable is a light guide that couples light generated by said illumination unit into said microscope stand.

Claim 17 (new) The automated microscope system as defined in Claim 12 wherein said at least one motor is selected from the group consisting of a focusing motor, a drive knob motor, an aperture diaphragm motor, a field diaphragm motor, a stage X-direction motor, and a stage Y-direction motor.

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Prelim. Amdt. dated: December 8, 2003

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Amendments to the Drawings

The attached sheets of drawings includes one (1) amended drawing labeled Fig. 1 and two (2) new drawings labeled Fig. 3 and Fig. 4.

Attachment: 1 sheet of one (1) Amended Drawing
2 sheets of two (2) New Drawings

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Remarks

The amendments to the specification add no new matter as the subject matter was previously disclosed in original Claim 4 and paragraphs 6 and 21. Support for new Figs. 3 and 4 can be found in paragraph [0006], lines 11-14 and paragraph [0021], lines 8-14. Amendments to the claims are supported by subject matter previously disclosed in the specification and original Claims 1-6. Thus, no new matter has been added by these amendments.

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Conclusion

Applicant respectfully submits that the present application is now in condition for allowance, which action is courteously requested. The Examiner is invited to contact the undersigned agent of record if such contact will facilitate an efficient examination and allowance of the application.

Respectfully submitted,

Sumita Chowdhury-Ghosh

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Dated: December 8, 2003